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FILED

MAR 25 2008 *MRB*

CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN JOSE DIVISION

17 UNITED STATES OF AMERICA,)	No. CR 08-00041 RS
18 Plaintiff,)	STIPULATION AND [PROPOSED] 19 v.) ORDER EXCLUDING TIME
20 JOHN HENRY BRUNO,)	SAN JOSE VENUE
Defendant.)	

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 22 On March 20, 2008, the parties in the above-captioned case appeared before the Court for a
 23 status hearing. Assistant Federal Public Defender Nicholas P. Humy and the government agreed
 24 that the Court schedule the case for arraignment and possible disposition on April 10, 2008.
 25 Assistant Federal Public Defender Humy then requested an exclusion of time under the Speedy
 26 Trial Act from March 20, 2008 until April 10, 2008 for defense preparation. The government,
 27 through Jennifer Griffith, Law Clerk for the United States Attorney's Office, agreed to the
 28 exclusion. The undersigned parties agree and stipulate that an exclusion of time is appropriate

1 based on the defendant's need for effective preparation.

2
3 SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

4
5 DATED: 3/20/08

/s/
SUSAN KNIGHT
Assistant United States Attorney

6
7 DATED: 3/20/08

/s/
NICHOLAS P. HUMY
Assistant Federal Public Defender

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11 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded
12 under the Speedy Trial Act from March 20, 2008 to April 10, 2008. The Court finds, based on
13 the aforementioned reasons, that the ends of justice served by granting the requested continuance
14 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant
15 the requested continuance would deny defense counsel reasonable time necessary for effective
16 preparation, taking into account the exercise of due diligence, and would result in a miscarriage
17 of justice. The Court therefore concludes that this exclusion of time should be made under 18
18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

19 SO ORDERED.

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21 DATED: 3/24/08


RICHARD SEEBOORG
United States Magistrate Judge